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Attorneys for Post-Discharged Debtors
appearing herein for a limited purposes

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION

In re	)	CASE NO. 2:04-bk-22926-BB
	)	Chapter 7
)	
Steven and Susan Oscherowitz,	)	DEBTORS' REPLY TO DAVID DAYANOFF'S
	)	LIMITED OPPOSITION TO MOTION FOR ORDER
	)	AVOIDING JUDGMENT LIEN OF SHALOM AND
Debtors.	)	SHEVACH MOZES AND AUTHORIZING SHORT-
	)	SALE
)	
)	
	)	<u>HEARING DATE</u>
	)	Date: August 20, 2013
	)	Time: 11:00 a.m.
	)	Place: Courtroom 1475
	)	US Bankruptcy Court
	)	255 East Temple Street
	)	Los Angeles, CA 90012
_____)	

TO THE HONORABLE UNITED STATES BANKRUPTCY COURT AND ALL
OTHER INTERESTED PARTIES:

COME NOW DEBTORS Steven and Susan Oscherowitz (hereinafter referred to
collectively as "Debtors" or "Movants"), through their attorneys, The Law Offices of Shai Oved,
with their Reply to David Dayanoff's Limited Opposition to motion for order avoiding the judgment
lien of Shalom and Shevach Mozes and authorizing Debtors to complete a short-sale of their
property located at 117 N. Citrus Ave., Los Angeles, CA 90036 (hereinafter referred to as the
"Property") as follows:

1 1. David Dayanoff's limited opposition comes as a surprise to Debtors as no other
2 interested party objected to the Debtors' Motion.

3 2. Even though David Dayanoff initially agreed to accept a reduced payoff for a release
4 of his lien, upon learning of Debtors' efforts to avoid the judgment lien of Shalom and Shevach
5 Mozes, he apparently believed his purported priority in the list of junior liens would substantially
6 improve (ie, the Mozes's judgment lien is in the amount of \$450,000).

7 3. Debtors recognize that the short sale can not proceed without the approval of all
8 secured creditors. Debtors believe that not only should Dayanoff be estopped from changing his
9 former position, for which they previously relied, but other defects exist with respect to Dayanoff's
10 position.

11 4. Notwithstanding and without waiving any rights, all of which are expressly reserved,
12 Debtors believe that a consensual agreement can be reached, as did previously, and seek a further
13 continuance of the August 20, 2013, hearing for 2 weeks in order to do so. As of the time of this
14 Opposition, counsel had exchanged phone messages and were still waiting on their clients as to
15 settlement discussions discussed between counsel. Debtors and Mozes (judgment creditor whose
16 lien was to be avoided) have been able to reach an agreement to resolve its lien, and they believe
17 they will be able to reach an agreement as to the Dayanoff's lien.

18 5. It is anticipated that a joint stipulation will be filed to continue the hearing for an
19 additional two weeks so the parties can continue/finalize any settlement.

20 6. Debtors respectfully request that this hearing be continued for two weeks without the
21 need for an appearance. Request for Continuance. Debtors hereby move this Court for a
22 continuance of this matter pursuant to Local Bankruptcy Rule 9013-1(m)(1) for two weeks (or the
23 Court's next available hearing date) so that the parties can continue to work out matters informally.

24
25
26
27 Dated: August 13, 2013

Respectfully submitted,

The Law Offices of Shai Oved

/s/ Shai Oved

Shai Oved, Attorneys for Debtors

PROOF OF SERVICE

() BY U.S. MAIL

() BY HAND DELIVERY

() BY FAX

(xx) BY SPECIAL DELIVERY/FEDERAL EXPRESS/EXPRESS MAIL

I am a resident of Los Angeles County, California. I am over the age of 18 and not a party to the within action. My business address is 7445 Topanga Cyn Blvd., Suite 220, Canoga Park, California 91303. On August 13, 2013, I served a true and correct copy of **DEBTORS' REPLY TO DAVID DAYANOFF'S LIMITED OPPOSITION TO MOTION FOR ORDER AVOIDING JUDGMENT LIEN OF SHALOM AND SHEVACH MOZES AND AUTHORIZING SHORT-SALE** on the Parties-in-Interest in this action, in the manner referenced above and addressed or telecopied as follows:

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The following will be served by CM/ECF:

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23 The following will be served by personal delivery within one day after filing:

24 The Honorable Sheri Bluebond.

25 United States Bankruptcy Court

26 255 E. Temple Street, Courtroom 1475

27 Los Angeles, CA 90012

28 Executed on August 13, 2013, at Woodland Hills, California.

/s/ Shai Oved

Shai Oved